

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

OLIVIA Y., by and through her next friend, James D. Johnson;  
JAMISON J., by and through his next friend, Clara Lewis;  
DESIREE, RENEE, TYSON, and MONIQUE P.,  
by and through their next friend, Sylvia Forster;  
JOHN A., by and through his next friend, James D. Johnson;  
CODY B., by and through his next friend, Sharon Scott;  
MARY, TOM, MATTHEW, and DANA W.,  
by and through their next friend, Zelatra W.;  
AND SAM H., by and through his next friend, Yvette Bullock;  
on their own behalf and behalf of all others similarly situated

PLAINTIFFS,

v. CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi;  
DONALD TAYLOR, as Executive Director of the Department  
of Human Services; AND BILLY MANGOLD,  
as Director of the Division of Family and Children's Services

DEFENDANTS.

**PLAINTIFFS' MARCH 2017 MOTION FOR AWARD OF CLASS COUNSEL'S FEES  
AND EXPENSES**

Plaintiffs respectfully move this Court for an order granting them attorneys fees and expenses in the amount of \$413,287.00 for the monitoring and enforcement of the Modified Mississippi Settlement Agreement and Reform Plan ("MSA", Dkt. No. 571), and for the negotiation of the 2<sup>nd</sup> Modified Mississippi Settlement Agreement and Reform Plan from December 1, 2015 through November 30, 2016 ("2<sup>nd</sup> MMSA", Dkt. No. 712). This motion is brought pursuant to 42 U.S.C. § 1988 and Federal Rule of Civil Procedure 54. This motion is supported by the accompanying Memorandum of Law in Support of Plaintiffs' March 2017 Motion for Award of Class Counsel's Fees and Expenses, which is filed contemporaneously with

and incorporated by reference into this motion. Plaintiffs also submit the following exhibits in support of this motion:

Exhibit 1: Declaration of Marcia Robinson Lowry (with Attachment A);

Exhibit 2: Declaration of W. Wayne Drinkwater (with Attachment A).

As explained in full in Plaintiffs' accompanying memorandum of law and the supporting Declarations, the fees and expenses that Plaintiffs seek this monitoring period were reasonable and necessary to the representation of the Class. The requirements for a finding that the fees and expenses were reasonable and necessary are amply detailed in the accompanying supporting documents.

Respectfully submitted, this 31st day of March, 2017.

/s W. Wayne Drinkwater

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Counsel for Plaintiffs Olivia Y et al.

*Counsel for Plaintiffs*

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will deliver copies to all counsel of record.

/s/W. Wayne Drinkwater

W. Wayne Drinkwater